IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4568 OF 2004

Mrs. Naiera Derek Furgado.] .. Petitioner

Vs

Mr. Derek Anthony Furgado.] .. Respondent

None present for the petitioner.

Mr. A.C. Singh i/b D.R. Shah for the respondent.

CORAM: ANOOP V. MOHTA, J.

DATED: 25TH NOVEMBER, 2004.

P.C.:

1. The matter was called out twice. None appears for the petitioner. Heard counsel for the respondent. The petitioner has invoked the provisions of Article 227 of the Constitution of India and, thereby, challenged the impugned order, which is dated 2nd July, 2003, whereby, the learned Judge, Family Court, Bombay, after considering the material placed on the record, including the judgment of this Court passed by the Hon'ble Mr. Justice S.M. Daud, whereby, the marriage between the parties itself was dissolved from the date of the order, which is dated 7th February, 1990.

2. In view of this, in such matrimonial matters,

after a lapse of such a long time, I see there is no reason to recall those orders of dissolution of marriage or such other orders. The reasoning given by the learned Judge is within the framework of law and need no interference in this supervisory jurisdiction of the High Court.

3. The present Petition was filed on 26th August, 2003, but, till this date, no steps have been taken by the petitioner; such matrimonial matters, therefore, I am of the view that there is no need to keep the same pending. In view of this, the present Petition is dismissed.

ANOOP V. MOHTA, J.